

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

VIRGINIA NESTER and	§
ROBERT SCOTT NESTER,	§
INDIVIDUALLY and AS NEXT	§
FRIENDS OF C.N. and S.N., MINORS	§
§	
PLAINTIFFS,	§ CASE NO. 1:13-CV-00920-DAE
§	
V.	§
§	
§	
TEXTRON, INC. d/b/a E-Z-GO,	§ JURY TRIAL DEMANDED
UNITED RENTALS, INC. f/k/a	§
RSC HOLDINGS, INC. and/or RSC	§
EQUIPMENT RENTAL,	§
§	
DEFENDANTS	§

**AGREED MOTION OF THE PARTIES, DEFENDANT, E-Z-GO A DIVISION
OF TEXTRON, INC., AND PLAINTIFFS, VIRGINIA NESTER and ROBERT
SCOTT NESTER, INDIVIDUALLY AND AS NEXT FRIENDS OF C.N. and S.N.,
MINORS, TO WITHDRAW DOCUMENT NOS. 73, 97, AND 115 (RELATING TO
THE TESTIMONY OF DR. T. WALTER HARRELL), 74, 98, AND 111 (RELATING
TO THE TESTIMONY OF DR. JOHN TRAPANI), AND 79, 95, and 113
(RELATING TO THE TESTIMONY OF DR. PAUL KORNBERG)**

COME NOW, the parties to this action, E-Z-GO a division of Textron, Inc. ("Textron") and Plaintiffs, Virginia Nester and Scott Nester, Individually and as Next Friends of C.N. and S.N., Minors (collectively, "the Parties"), and file this Agreed Motion to Withdraw Document Nos. 73, 97, and 115 (relating to the testimony of Dr. T. Walter Harrell), 74, 98, and 111 (relating to the testimony of Dr. John Trapani), and 79, 95, and 113 (relating to the testimony of Dr. Paul Kornberg) because the Parties have reached an agreement regarding the issues raised in said motions, and, for such cause, respectfully show the following:

The Parties have reached an agreement regarding the issues raised in the motions designated as Documents Nos. 73, 74, and 79. Accordingly, the parties jointly move to withdraw

those motions and the related responsive and reply pleadings and pray that the Court will enter an order withdrawing the motions and the responsive and reply pleadings relating to same.

RESPECTFULLY SUBMITTED,

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and foregoing document has been forwarded to all known counsel of record in accordance with the Federal Rules of Civil Procedure, the local rules of the Western District of Texas, and the policies and procedures of the Federal Electronic Filing system on this 22nd day of December, 2015.

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/s/ Tara E. Hanley

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